

or to assist properly in his defense. 18 U.S.C. § 4241(d); *see Nguyen v. Reynolds*, 131 F.3d 1340, 1346 (10th Cir. 1997) (“Competence to stand trial requires that a defendant have ‘sufficient present ability to consult with his lawyer with a reasonable degree of rational understanding’ and ‘a rational as well as factual understanding of the proceedings against him.’”) (quoting *Dusky v. United States*, 362 U.S. 402, 402 (1960)).

Accordingly, the Court finds that Defendant is competent to proceed to trial.

IT IS SO ORDERED this 3rd day of April, 2009.


James H. Payne
United States District Judge
Eastern District of Oklahoma